

## Site Transition Process Upon Cleanup Completion

### INTRODUCTION

After the EM cleanup mission is completed at a site and there is no continuing mission, responsibility for the site and/or the associated records will be transferred to LM. Where residual hazards (e.g., disposal cells, ground water contamination) remain, active Long Term Surveillance and Maintenance (LTS&M) will be required to ensure protection of human health and the environment.

### REQUIREMENTS

The primary DOE Orders related to the transition process are: *DOE Order 430.1B Real Property and Asset Management*, which specifies the requirements of real property and asset management including the disposition and/or transition of the real property and assets; and, *DOE O. 413.3 Program and Project Management for Acquisition of Capital Assets*, which specifies a disciplined process for project management using the Critical Decision (CD) process. This fact sheet is consistent with the draft *DOE Guide 430.B-6 Guidance for Transition of Sites and LTS&M Responsibility*.

### TRANSITION STEPS

Although the steps are presented sequentially, some of the steps may be initiated earlier or implemented simultaneously.

**1: Notification.** The transition process is initiated when EM notifies LM that EM is nearing mission completion at a site. While there is not a set time limit, the notification should allow enough time for both organizations to work jointly on the transition. For a small site, notification of 4-6 months may be adequate. For a large site (e.g., Rocky Flats, Fernald, and Mound), notification of two years or longer may be necessary to ensure a smooth transition.

**2: Site Transition Plan.** The purpose of the transition plan is to identify and guide the execution of the actions needed to move the site to a point where responsibility can be transitioned from EM to LM. The transition

plan is jointly developed, approved by EM-1 and LM-1, and jointly executed by EM and LM staff. The Transition Plan should meet the requirements of DOE Order 430.1B and include the disposition of federal workforce responsibilities. The Transition Plan structure is

#### The Site Transition Framework Establishes Conditions for 10 Areas

1. Authorities & Accountabilities
2. Site Conditions
3. Engineered Controls, Operation & Maintenance Requirements, and Emergency/Contingency Planning
4. Institutional Controls and Enforcement Authorities (Real Property)
5. Regulatory Requirements and Authorities
6. Long-Term Surveillance and Maintenance
7. Information and Records Management
8. Public Education, Outreach, Information and Notice
9. Natural, Cultural, and Historical Resource Management
10. Business Functions including Contractor Benefits

based on the Site Transition Framework (STF). Programmatic risks to the transition schedule should be identified and tracked. Impediments to successful transition must be addressed and brought to senior management level attention as necessary for resolution.

**3. LTS&M Requirements.** Post-closure activities should be identified and clearly documented in a LTS&M Plan. The LTS&M Plan should include those actions that are required to maintain the protection of the remedy (e.g., remedy performance monitoring, groundwater pump and treat), manage the natural, cultural and historical resources, and involve and inform the public. For CERCLA sites, the LTS&M Plan will meet the requirements of the Operations and Maintenance Plan and include the enforceable activities to be administered under a post-closure agreement.

LM will require support from EM but will lead the development of the LTS&M Plan.

#### 4. Communication and Outreach.

Communication with the site's stakeholders and regulatory agencies builds on existing communication and outreach efforts. One goal of the transition process is to ensure stakeholders and regulators are aware of the plan to transition, and participate in the development of the LTS&M plan.

**5. Cost Estimates and the Program Budget Decision document.** EM and LM will work together to ensure appropriate cost estimates are developed for the post-closure management of the site. This will require cost estimates for LTS&M, contractor pensions and benefits, and other costs that are needed for post-closure management. It is important that both organizations understand the post-closure cost estimates as those estimates define the planned target transfer from EM to LM.

Approximately 14 months prior to the expected transfer of the site, the Department will prepare a Program Budget Decision (PBD) document. The PBD is signed coincident with the

preparation of the President's Request for the Fiscal Year LM is expected to receive the site. The document is the official notification that the Department intends to transfer budget and scope from EM to LM.

**6. Verification of Readiness.** The CD-4 package is prepared in accordance with the DOE O. 413.1, and documents the completion of the EM mission at the site and validates the successful execution of the transition plan. Thus the CD-4 package includes a final assessment of the site readiness to transfer using the STF structure. The CD-4 package represents agreement between EM and LM on the "conditions" of the site and associated activities at the time of transfer. The CD-4 package is signed by the Under Secretary for Energy, Science and Environment.

**7. Transfer.** Once the budget request has been approved by Congress and the CD-4 package is signed, the site is officially transferred from EM to LM. It should be noted that even though the site has been transferred, there may be some remaining activities (e.g., contract closeout) that remain for EM to complete. These activities will be documented in the approved CD-4 package.

